3763

PATENT

IN THE UNITED STATES PATERY AND KADEMARK OFFICE

In Re Application of:

Lixiao Wang et al.

Application No.:

10/080,781

Filed:

February 22, 2002

For:

BLOCK COPOLYMER ELASTOMER CATHETER

BALLOONS

Examiner:

Not assigned yet

Group Art Unit:

3763

Commissioner for Patent Washington, D.C. 20231

Docket No.: S63.2-10401

TRANSMITTAL LETTER

In regard to the above-identified application, we are submitting the attached:
 3 pg IDS; 18 pgs of 1449 form; copies of References; copy of US application 09/712042; VAS Transmittal Letter; and Postcard.

- 2. With respect to fees:
 - No additional fee is required.
 - ☐ Attached is check(s) in the amount of
 - Charge additional fee to our Deposit Account No. 22-0350.

3. CONDITIONAL PETITION FOR EXTENSION OF TIME

This conditional petition is being filed along with the papers identified in Item 1 above and provides for the possibility that Applicant has inadvertently overlooked the need for a petition and fee for extension of time or for a petition and fee for any other matter petitionable to the Commissioner as required. If any extension of time for the accompanying response is required or if a petition for any other matter is required, by petitioner, Applicant requests that this be considered a petition therefor.

4. Notwithstanding paragraph 2 above, if any additional fees associated with this communication are required and have not otherwise been paid, including any fee associated with the Conditional Petition for Extension of Time, or any request in the accompanying papers for action which requires a fee as a petition to the Commissioner, please charge the additional fees to Deposit Account No. 22-0350. Please charge any additional fees or credit overpayment associated with this communication to the Deposit Account No. 22-0350.

VIDAS, ARRETT & STEINKRAUS

Date:

May 22, 2002

By:

Walter J. Steinkraus Registration No. 29,592

6109 Blue Circle Drive, Suite 2000 Minnetonka, MN 55343-9185 Telephone: (952) 563-3000

Facsimile: (952) 563-3001

Certificate Under 37 CFR 1.10: I hereby certify that this Transmittal Letter and the paper(s) as described herein, are being deposited in the U.S. Postal Service, as First Class Mail, addressed to Commissioner for Patents, Washington D.C. 20231, on May 202002.

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PATENT 2/ JOS

IN THE UNITED STATES PAPENT AND TRADEMARK OFFICE

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Application No.:

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INFORMATION DISCLOSURE STATEMENT

Listed below or on an attached Form PTO-1449 and/or a copy of a PTO-892 form is information known to applicant(s). A copy of each listed publication, U.S. patent, foreign patent and U.S. patent application is being submitted herewith, along with a concise explanation of information in a foreign language, if any, pursuant to 37 C.F.R. §1.97-1.98, *except that* U.S. applications from which priority is claimed under 35 U.S.C. §120, and documents cited in such priority applications, may be omitted from the enclosures pursuant to 37 C.F.R. 1.98(d). Applicant's submission of copies of U.S. applications does not constitute a waiver of the confidentiality of such applications. As such, Applicant requests that any copies of unpublished US applications submitted herewith be excluded from the file wrapper pursuant to 37 C.F.R. §1.14.

Applicants respectfully request that the listed information be considered by the Examiner and be made of record in the above-identified application. If form PTO-1449 or PTO-892 from a prior application is enclosed, the Examiner is requested to initial and return it in accordance with MPEP §609.

This statement is not intended to represent that a search has been made or that the information cited in the statement is, or is considered to be, material to patentability as defined in §1.56.

Applications that are listed on the accompanying modified form 1449 as related by priority are related by priority claim under 35 USC §120. Pursuant to 37 CFR §1.98(d), no copies of cited art in a previous application(s) to which priority was claimed need be submitted. Applicant is providing copies of the 1449 and/or 892 forms from these cases.

Information Disclosure Simement Application No.10/080,781 Page 2

<u>X</u>	I. This	stateme	ent qualifies as a no-fee Information Disclosure Statement under 37 C.F.R.
31.97(<i>b)</i> or o	therwise	e because to the knowledge of the undersigned attorney it is being filed
check	all that	apply):	
	<u>X</u>	(1)	within 3 months of the filing date of the application (other than a CPA); or
		(2)	within 3 months of entry of the national stage; or
		(3)	before the mailing of a first Office Action on the merits;
		(4)	before the mailing of a first Office Action after the filing of a request for
			continued examination (RCE) under §1.114;
		(5)	as part of a continued prosecution application (CPA); or
		(6)	during the period of a suspension of action for a CPA under 37 C.F.R. §1.103(b).
	II. Th	is state	ment is believed to require a fee or the submission of a certification under
	37 C.F	7.R. §1.9	97 (c) or otherwise. If this statement is being filed after the latest of: (1)
	three n	nonths l	beyond the filing date of a national application (other than CPA); (2) three
	month	s beyon	d the date of entry of the national stage as set forth in §1.491 in an
	interna	ational a	application; (3) the mailing of a first Office Action on the merits; (4) the
	mailin	g of a fi	irst Office Action after the filing of a request for continued examination
	under	§1.114;	or (5) after the filing of a request for a continued prosecution application,
	but be	fore the	mailing date of the earlier of a final office action under §1.113, a notice of
	allowa	ince und	der §1.311 or an action that otherwise closes prosecution in the application,
	then:		
		(1)	a certification as specified in §1.97(e) is provided below; or
		(2)	a fee of \$180.00 as set forth in \$1.17(p) is authorized below, enclosed, or
			included with the payment of other papers filed together with this
			statement.
	III. 37	7 C.F.R.	$\S1.97(d)$. If this statement is being filed after the mailing date of the
	earlier	of a fin	nal office action under §1.113, a notice of allowance under §1.311, or an
	action	that oth	nerwise closes prosecution in the application, but before payment of the
	issue f	ee, then	ı:
	(1)	a certi	fication as specified in §1.97(e) is completed below; and
	(2)	a fee o	of \$180.00 as set forth in §1.17(p) is authorized below, enclosed, or included
		with p	ayment of other papers filed together with this statement.

Information Disclosure Statement Application No.10/080,781

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X IV. Fee Authorization. If any fee is due for consideration of this Information Disclosure Statement and full payment has not been submitted herewith, regardless of which boxes have been checked above, the Commissioner is hereby authorized to charge any additional fees associated with this communication to Deposit Account No. 22-0350. The Commissioner is hereby authorized to credit any overpayment associated with this communication to Deposit Account No. 22-0350.

If paragraph II.1 or III is checked, also check one of the paragraphs below

 I hereby certify, under 37 CFR §1.97(e)(1), that each item of information contained in
this Information Disclosure Statement was first cited in a communication from a foreign
patent office in a counterpart foreign application not more than three months prior to the
date of the filing of this information disclosure statement.

I hereby certify, under 37 CFR §1.97(e)(2), that no item of information contained in the information disclosure statement was cited in a communication from a foreign patent office in a counterpart foreign application, and to the knowledge of the person signing the statement after making reasonable inquiry, no item of information contained in the information disclosure statement was known to any individual designated in 1.56(c) more than three months prior to the filing of the Information Disclosure Statement.

For the purpose of this certification, Applicant considers the PCT International Search Authority to constitute a foreign patent office.

If this Information Disclosure Statement has been submitted without the appropriate box checked, Applicant requests that this Information Disclosure Statement be considered nevertheless if it is timely submitted under any of the provisions of 37 C.F.R. §1.97 or otherwise. Finally, if any petition is necessary to ensure consideration of this Information Disclosure Statement, Applicant requests that this be treated as such a petition.

By:

Respectfully submitted,

VIDAS, ARRETT & STEINKRAUS, P.A.

Date: May 21, 2002

Walter J. Steinkraus

Registration No.: 29,592

Suite 2000 6109 Blue Circle Drive Minnetonka, MN 55343-9185 Telephone: (952) 563-3000 Facsimile: (952) 563-3001

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		FOR APPLICANT'S	1	REPERÈ T: Lixiao Wang et al.			TECHNOLOGY OF
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EXAM'S INIT.		DOCUMENT NUMBER	DATE	NAME		CLASS/ SUBCLASS	FILING DATE IF APPROPRIATE
	AA	6171278		Wang et al.			
		6146356		Wang et al.			
	AC	5951941		Wang et al.			
	AD	5830182		Wang et al.			
	AE	5556383		Wang et al.			
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Applicant requests that any copies of unpublished US applications submitted herewith be excluded from the file wrapper pursuant to 37 C.F.R. §1.14.

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APPLICAN	T'S IN	ES AND PUBLICATIONS	FOR	ATTY DOCKET NO: S63.2-4842- 10401	SERIAL NO: 03/204,534				
		FORMATION DISCE	MEMA	APPLICANT: LINIAO WANG, ET AL		H	=CE	IVE	
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			nt Pages, Etc.)				MAY 3	0 200
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СВ	N. ALBEROLA, E		•	XATION PROCESSES 219-224 (1989).	IN POLYETHER	BLOCK AMIDE	COPOLYM	ERS (PEBA)."
СС	H. FARUQUE, ET 2032), COPOLYM	AL, "STUDY OF ER USING THE	MULTIPLE I	RELAXATIONS IN PI Y STIMULATED CUR	EBAX, POLYETH RENT METHOD	IER BLOCK AM " POLYMER, 27,	DE (PA12 2 527-531 (19	135 BLOCK 36).	PTMG
	2032), COPOLYM	ER USING THE	THERMALLY	RELAXATIONS IN PI Y STIMULATED CUR IS," <i>J. POLYMER SCI</i> .	RENT METHOD	" POLYMER, 27,	DE (PA12 2 527-531 (19	35 BLOCK 36).CD	PTMG
CE	D. PREVORSEK, E	ET AL, "MECHA	NICAL RELA	XATIONS IN POLYA	AMIDES," J. POL	YMER SCI.: PARI	TA-2, 9, 867-	886 (1971).	
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CI	N. ALBEROLA, "N (1988).	MICROMECHAN	NICAL PROPE	ERTIES OF POLYETH	ER BLOCK AMI	DE COPOLYMEI	RS," J. APPL	IED SCI., 36	5, 787-80
CJ	J. BRANDRUP, ET	T AL, eds., POLY	MER HANDE	BOOK, JOHN WILEY	& SONS (1989), F	P VV209, VV243	-VI/244.		
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OTHER D	OCUM	ENTS (Including Author, Title, Date	Relevant Pages, Place of Publication)	TEC	NO CONTRACTOR
	CA	Flesher, "Polyether block amide. high-	performance TPE, " Modern Plastics, September	1987, pp. 10 0; 10 5;	INOLOGY CENTER R3700
	СВ	Koch, "PEBAX (Polyether Block Ami	de)". Advances in Polymer Teehnology, Vol 2, No	э . 3-1982 р р. 160-162.	
	сс	De, et al, eds. <u>Thermoplastic Elastome</u> pp. 13-27.	r from Rubber-Plastic Blends, Chapter 1, Ellis Ho	orwoal, New York	
	CD	Gorski, "The Nomenclature of Thermo	plastic Elastomers," Kunstoffe German Plastics, 8	83 (1993) No. 3,	
	CE	Hofmann, "Thermoplastic Elastomers,	'Kunstoffe German Plastics, 80 (1990) No. 10, p	р 88-90.	
	CF	Atochem, "Pebax® Resins 33 Series F sheet received 9/29/94).	roperty Comparison" undated, (1 pg manufacture	rs technical information	
	CG	Atochem, undated and untitled brochu	re for Pebax® resins, pgs 2-5.		
	СН	Bhowmick, et al eds., <u>Handbook of El</u> 411-442.	istomers. Chapters 10 and 12, Marcel Dekker Inc.	., pp 341-373 and	
	CI	Walker, et al, eds. Handbook of Thern pp 258-281.	oplastic Elastomers, Chapter 8, Van Nostrand Re	inhold Co., NY	
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10 080 78 | Serial No: 08/397,837 10401 ATTY DOCKET NO: S63.2-5424 FORM PTO-1449 (Modified) INFORMATION DISCLOSURE APPLICANT: Lixiao Wang et al STATEMENT BY APPLICANT Group: 3506 3763 (Use several sheets if necessary) FILING DATE: , March 2, 1995 REFERENCE DESIGNATION **U.S. PATENT DOCUMENTS** PATENTEE CLASS SUBCLASS FILING DATE PATENT NUMBER ISSUE EXAM'S IF APPROPRIATE INIT. DATE 5,500,180 3/19/96 Anderson et al 264 532 AA ΑB ACΑD ΑE ΑF AG FOREIGN PATENT DOCUMENT OR PUBLISHED FOREIGN PATENT APPLICATION TRANSLATION DOCUMENT NUMBER PUBLICA COUNTRY OF PATENT OFFICE CLASS SUBCLASS TION YES NO DATE BA BB BC BD **OTHER** ART (Including Author, Title, Date, Pertinent Pages, Etc.) CA CB \mathbf{CC} DATE CONSIDERED **EXAMINER**

next communication to applicant.
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FORM PTO-1449 (Modified) U.S. DEPARTMENT OF COMMERCE PATENT AND TRADEDMARK OFFICE INFORMATION DISCOSURE STATEMENT BY APPLICANT (Use several sheets if necessar ADEMA) PEFFRENCE DESIGNATION U.S. PATE				ATTY DOCKET NO: S63.2-5424 /040 / Serial No: 00/397,837 APPLICANT: Lixiao Wang, et al FILING DATE: March 2, 1995 Z/22/02 Group: 3306 3763					
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EXAM'S INIT.		PATENT NUMBER	ISSUE DATE	PATENTEE	CLASS	SUBCLASS /	FILING DA	PRIATE 2002	
	AA	4,898,591	2/90	Jang et al	604	TEO	37	2002	
	AB	4,917,667	4/90	Jackson	604	, ZOHNO!	OGY CE	V 2002 NTER R370	
	AC	4,950,257	8/90	Hibbs et al	604			H370	
	AD	4,385,635	5/83	Ruiz	128				
	AE	4,886,506	12/89	Lovgren et al	604				
	AF	4,563,181	1/86	Wijaymathna	604		_		
	AG	-4,906,244	3/90	Pinchuck et al	606				
	АН	4,254,774	5/81	Boretos	128				
	AI	5,290,306	3/94	Trotta et al	606	194			
	AJ	5,250,069	10/93	Nobuyoshi et al	606				
	AK	4,332,920	6/82	Foy et al	525				
	AL	4,331,786	5/82	Foy et al	525		···		
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		DOCUMENT NUMBER	PUBLICA TION DATE	COUNTRY OR PATENT OFFICE	CLASS	SUBCLASS	TRANSLA	NO	
	AL	566 755 A	10/93	EP					
	AM	540 858 A	12/93	EP					
	AN	420 488 B	7/93	EP					
	AO	92/8512	5/92	wo					
	AP	92/19316	11/92	wo					
	AQ	274 411	7/88	EP					
	AR	592 885 A	4/94	EP					
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Page 7— of **18**

10/080781 Serial No:08/297,837 MAY 2 8 2002 ATTY DOCKET NO: S63.2-\$424- 10901 FORM PTO-1449 (Modified) INFORMATION DISCAOSURE STATEMENT MADEMAN APPLICANT: Lixiao Wang FILING DATE: March 2, 1995 2/22/02 Group: (Use several sheets if necessary) U.S. PATENT DOCUMENTS REFERENCE DESIGNATION CLASS PATENT NUMBER ISSUE PATENTEE EXAM'S DATE INIT. TECHNOLOGY CENTER R. 700 604 5,328,468 7/94 Kaneko, et al AA 525 92 6/94 Ward, Jr. 4,675,361 ΑB 4/6/93 9/94 604 96 5,344,400 Kaneko, et al AC 458 AD 5,281,677 1/94 Onwunaka, et al 525 3/94 604 265 5,295,978 Fan, et al ΑE 3/95 Nobuyoshi, et al 604 96 5,397,306 ΑF 412 4,786,556 11/88 Hu, et al 428 AG 604 96 1/17/92 4/94 Kraus, et al ΑH 5,304,134 5,335,675 8/94 Wheeler, deceased, et al 128 842 10/11/91 ΑI 604 96 9/29/92 5,348,538 9/94 Wang, et al ΑJ 604 280 5/12/93 5,300,048 4/94 Drewes, Jr. et al 96 8/90 604 4,950,239 Gahara et al ΑL 128 349B 4,154,244 5/91 Becker et al AM 425 140 7/90 Jackoski et al ΑN 4,938,676 8/90 264 129 4,952,357 Enteneuer AO 604 96 ΑP 4,413,989 11/83 Schjeldahl et al 428 35 4,490,421 12/84 Levy ΑQ 5264260 Saab AR 10/45 5358486 AS ΑT ΑU ΑV AW $\mathbf{A}\mathbf{X}$ **EXAMINER** DATE CONSIDERED

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FORM I	PTO-14	49 (Modified)	MAY 2 8 2002	TTY DOCKET NO: S63.2-6119	401	Serial No	7080781 :0 8/671:861	7
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	(449 (Modified) MAY 2 8 2002 ATTY DOCKET NO: S63.2-6400- 10 40 Serial No: 00/805.899
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	e several sheets if necess The DEMARK FILING DATE: E-bruary 25, 1997 2/22/02 Group: 3306 3763
OTHER DOC	UMENTS (Including Author, Title, Date, Relevant Pages, Place of Publication)
CA	Form 892, US serial number 08/6/1,861
CE	Form 892, US-scrial number 03/397,837
cc	Porm 892. US serial number 08/204,554
CD	Form 892, US serial number 08/671,861 Form 892, US serial number 08/204,837 Form 892, US serial number 08/204,554 Tecoflex ² Medical Grade Aliphatic Thermoplastic Polyurethanes, date unknown SCIMED LEAP TRIO PTCA CATHETERS, May 16, 1995 Dow Processing Guide, Pellethane, date unknown
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CN	Tecoplast Engineering Polyurethane Resins May 1996
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	CA	"Thermoplastic Elastomer," Kagaku Kogyo Nipposha, published Feb. 15, 1992, pgs 23-39 and 225-229 with partial translation.									
	СВ		Ullmann's Encyclopedia of Industrial Chemistry (1995), Vol A26, Cpt 4, "Thermoplastic Elastomers," pp 651-655.								
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A copy of this reference is not being furnished with this Office action. (See Manual of Patent Examining Procedure, Section 707.05(a).)

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10401 Docket No.: S63.2-7436 BIRADE Serial Note FORM PTO-1449 (Modified) INFORMATION DISCLOSURE Applicant: Lixiao Wang et al STATEMENT (Use several sheets if necessary) Filing Date: 8/21/98-Group: 3731 REFERENCE DESIGNATION U.S. PATENT DOCUMENTS CLASS EXAM'S PATENT NUMBER **ISSUE** PATENTEE **SUBCLASS** FILING DATE INIT. DATE IF APPROPRIATE 4,154,244 5/15/79 349 Becker et. al. 129 4,952,357 8/23/90 Euteneuer AC 4,906,244 3/6/90 Pinchuk et al 606 194 AD 5,087,394 2/11/92 K eith 204 22 7/3/90 140 AE-47,938,676 Jackowski-ct-al 425 AF 4,963,313 10/90 Noddin et al 563 11/8/83 60# AO 4,413,989 Schjeidald et al-6/26/84 Schjeldahl et al 128 ΑH 4,456,000 ΑI ΑJ ΑK ΑL AM AN ΑO AP AQ AR AS ΑT ΑU ΑV AW ΑX

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